

Federal Operating Permit - Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	United States Gypsum Company
Facility Name:	U. S. Gypsum, Norfolk Plant
Facility Location:	1001 Buchanan Street Norfolk, Virginia

Registration Number:	60234
Permit Number:	TRO60234

June 17, 2004

Effective Date

June 16, 2009

Expiration Date

(for)

Robert G. Burnley
Director, Department of Environmental Quality

July 8, 2004

Signature Date

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I. Facility Information

Permittee

United States Gypsum Company
1001 Buchanan Street
Norfolk, Virginia 23523

Responsible Official

David O. Bunch
Plant Manager

Facility

U. S. Gypsum, Norfolk Plant
1001 Buchanan Street
Norfolk, Virginia 23523

Contact Person

Trent Martin
Engineering Manager
757-545-2461 ext. 257

AIRS Identification Number: 51-710-0068

Facility Description: SIC Code 3275 – United States Gypsum manufactures gypsum wallboard, plasters, and industrial gypsum products.

The primary raw material is gypsum ore that is received by ship, screened, crushed, dried and ground so that 90% passes a 100-mesh screen (landplaster). The processed landplaster enters the kettle calciners where hot flue gases drive-off $\frac{3}{4}$ of the water to make stucco. The stucco can be directed to the wallboard process to make drywall or to the packing area where it is processed and formulated into plaster products.

The primary products from the Norfolk plant are wallboard, landplaster and the dried and bagged specialty plasters.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description and Date of Manufacture	Size/Rated Capacity*	Fuel Type	Applicable Permit Date
Fuel Burning Equipment					
U1A	S2	#2 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	Natural Gas	N/A
U1B	S2	#2 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	#2 Fuel Oil	N/A
U1C	S2	#2 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	#6 Fuel Oil	N/A
U2A	S13	#3 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	Natural Gas	N/A
U2B	S13	#3 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	#2 Fuel Oil	N/A
U2C	S13	#3 Calcining Kettle (USG design, 1947)	12 mmBtu/hour	#6 Fuel Oil	N/A
U3A	S15	#4 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	Natural Gas	N/A
U3B	S15	#4 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#2 Fuel Oil	N/A
U3C	S15	#4 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#6 Fuel Oil	N/A
U4A	S16	#5 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	Natural Gas	N/A
U4B	S16	#5 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#2 Fuel Oil	N/A
U4C	S16	#5 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#6 Fuel Oil	N/A
U5A	S17	#6 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	Natural Gas	N/A
U5B	S17	#6 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#2 Fuel Oil	N/A
U5C	S17	#6 Calcining Kettle (USG design, 1955)	12 mmBtu/hour	#6 Fuel Oil	N/A
U6A	S3	#1 Raymond Mill Aux. Burner, Hauck Mfg. model WRC572ZX (prior to 1963)	4.5 mmBtu/hour	Natural Gas	N/A
U6B	S3	#1 Raymond Mill Aux. Burner, Hauck Mfg. model WRC572ZX (prior to 1963)	4.5 mmBtu/hour	#2 Fuel Oil	N/A
U6C	S3	#1 Raymond Mill Aux. Burner, Hauck Mfg. model WRC572ZX (prior to 1963)	4.5 mmBtu/hour	#6 Fuel Oil	N/A
U7A	S5	#3 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (11/89)	4.5 mmBtu/hour	Natural Gas	N/A
U7B	S5	#3 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (11/89)	4.5 mmBtu/hour	#2 Fuel Oil	N/A

U7C	S5	#3 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (11/89)	4.5 mmBtu/hour	#6 Fuel Oil	N/A
U8A	S14	#5 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (7/93)	4.5 mmBtu/hour	Natural Gas	N/A
U8B	S14	#5 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (7/93)	4.5 mmBtu/hour	#2 Fuel Oil	N/A
U8C	S14	#5 Raymond Mill Aux. Burner, Hauck Mfg. model WR572 PRN 11912 (7/93)	4.5 mmBtu/hour	#6 Fuel Oil	N/A
U9A	S6	North Board Drying Kiln (USG design, 1955)	48 mmBtu/hour	Natural Gas	N/A
U9B	S6	North Board Drying Kiln (USG design, 1955)	48 mmBtu/hour	#2 Fuel Oil	N/A
U10A	S21	South Board Drying Kiln (USG design, 1947)	48 mmBtu/hour	Natural Gas	N/A
U10B	S21	South Board Drying Kiln (USG design, 1947)	48 mmBtu/hour	#2 Fuel Oil	N/A
U11A	S1	Mixer Hot Water Boiler	3.3 mmBtu/hour	Natural Gas	N/A
U11B	S1	Mixer Hot Water Boiler	3.3 mmBtu/hour	#2 Fuel Oil	N/A
U12	S31	PST Heater, Hastings Heater MDH-423 model SBOF-112-3-423 (7/99)	0.7 mmBtu/hour	Natural Gas	N/A
U13A	S8	General Plant Boiler, Cleaver Brooks CBH 200-40 (8/7/85)	1.7 mmBtu/hour	Natural Gas	N/A
U13B	S8	General Plant Boiler, Cleaver Brooks CBH 200-40 (8/7/85)	1.7 mmBtu/hour	#2 Fuel Oil	N/A

Process Operations				
Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Applicable Permit Date
U1, Kettle	S32	#2 Calcining Kettle (USG design, 1947)	13 tons/hour – stucco	N/A
U2, Kettle	S9	#3 Calcining Kettle (USG design, 1947)	13 tons/hour - stucco	N/A
U3, Kettle	S4	#4 Calcining Kettle (USG design, 1955)	13 tons/hour - stucco	N/A
U4, Kettle	S4	#5 Calcining Kettle (USG design, 1947)	13 tons/hour - stucco	N/A
U5, Kettle	S4, S36	#6 Calcining Kettle (USG design, 1947)	13 tons/hour - stucco	N/A
U6, Mill	S3	#1 Raymond Mill 1947	20 tons/hour – crushed rock	N/A

U7, Mill	S5	#3 Raymond Mill 1947	25 tons/hour – crushed rock	N/A
U8, Mill	S14	#5 Raymond Mill 1947	20 tons/hour – crushed rock	N/A
U9, Kiln	S6	North Board Dryer Kiln 1947	100 feet/min gypsum board	N/A
U10, Kiln	S21	South Board Dryer Kiln 1947	100 feet/min gypsum board	N/A
U11, boiler	S1	Mixer Hot Water Boiler 1979	3.3 mmBtu/hour	N/A
U12, PST System	S31, S38	PST System 1978	40 tons/hour – stucco	N/A
U13, Boiler	S8	General Plant Boiler	1.7 mmBtu/hour	N/A
U14, Mill	S18	#2 Raymond Mill, 1947	20 tons/hour – crushed rock	N/A
U15, Mill	S4	#4 Raymond Mill, 1955	20 tons/hour – crushed rock	N/A
U16, Crusher	S7	Gypsum Rock Crusher	150 tons/hour–gypsum rock	May 27, 2003
U17, Tank	F11	Diesel Tank	1000 gallons	N/A
U18, Anh. System	F21	Anhydrite System	15 tons/hour	N/A
U19, Tank	F12	Gasoline Tank	1000 gallons	N/A
U20, Packer	S26	White Packer	7.5 tons/hour	N/A
U21, Packer	S27	Dark Packer	7.5 tons/hour	N/A
U22, Endsaw	S23	Endsaw	200 fpm line speed	N/A
U23, Belt	S11, S24	Board Stucco Cooling Tunnel Belt	50 tons/hour	May 24, 1994
U24, Machine	S10	Dunnage Machine	4 million ft ² /hour	April 5, 1994
U25, Mill	S25	Paper Fiber Mill	2 tons/hour	N/A
U26	none	REMOVED	REMOVED	REMOVED
U27, Unloader	S12	Sand and Lime Unloading System	14 tons/hour	May 24, 1994
U28, Airveyor	S28	White Pack Spill Airveyor	0.5 tons/hour	N/A
U29, Mill	S29	Tube Mill	100 tons/hour	N/A
U30, Unloader	S30	Perlite Unloading System	14 tons/hour	N/A
U31, Stockpile	F1	Dark Rock Stock Pile	50,000 tons – gypsum rock	N/A
U32, Stockpile	F2	White Rock Stock Pile	9,000 tons – gypsum rock	N/A
U33, Stockpile	F3	420 Stock Pile	40,000 tons-anhydrite rock	N/A
U34, Stockpile	F4	2 A Rock Stock Pile	9,000 tons	N/A
U35, Stockpile	F5	Gypsum Reclaim Stock Pile	120,000 tons - reclaim	N/A
U36, Belt	S7	Crushed Rock Belt	150 tons/hour	May 27, 2003
U37, Tank	F6	#6 Fuel Oil Tank	30,000 gallons	N/A
U38, Tank	F7	#4 Fuel Oil Tank	30,000 gallons	N/A
U39, Tank	F8	#2 Fuel Oil Tank	15,000 gallons	N/A
U40, Tank	F9	West Waste Oil Tank	2,500 gallons	N/A

U41, Tank	F10	East Waste Oil Tank	2,500 gallons	N/A
U42, Road Traffic	F13	Paved Road Traffic	N/A	N/A
U43, Mill	S35	HRA Ball Mill	0.6 tons/hour	July 28, 2000
U44, Airveyor	S37	Packing Airveyor	10.tons/hour	July 28, 2000
U45, Screen	F16	Trommel Screen	50 tons/hour	May 27, 2003
U46, Feeder	F17	Rock Hopper w/ Pan Feeder	150 tons/hour	N/A
U47, Belt	F18	Rock Incline Belt	150 tons/hour	May 27, 2003
U48, Feeder	F19	Reclaim Feeder	50 tons/hour	May 27, 2003
U49, Belt	F20	Reclaim Incline Belt	50 tons/hour	May 27, 2003
U50, Drag Chain	S27	Tube Mill Drag Chain	100 tons/hour	N/A
U51, Screw	S27	Bulk Stucco Screw	30 tons/hour	August 13, 2002
U52, Spout	S27	Bulk Stucco Loading Spout	30 tons/hour	August 13, 2002
U53, Hopper	F14	Ship Unloading Hopper w/ Pan Feeder	2000 tons/hour	September 18, 2002
U54, Conveyor	F15	Ship Unloading Conveyor System	2000 tons/hour	September 18, 2002
U55, Packer	S20	Anhydrite Packer	15 tons/hour	N/A
U56, Airveyor	S33, S34	Landplaster Airveyor	0.6 tons/hour	N/A

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

Pollution Control Equipment Consists of:

Pollution Control Equipment					
Unit Ref. No.	Stack No.	Control Equipment Description	Manufacturer and Date of Construction	PCD Efficiency	Pollutant
U1	S2	No control device	No control device		
U1	S32	Fabric Filter	Flex Kleen Mod#84-WRB-160XL	99 %	TSP, PM10
U2	S13	None	No control device	N/A	N/A
U2	S9	Fabric Filter	Flex Kleen Mod#84-WRB-160XL	99 %	TSP, PM10
U3	S15	None	No control device	N/A	N/A
U3	S4	Cottrell ESP	Research Cottrell Type 8 G-15	95 %	TSP, PM10
U4	S16	None	No control device	N/A	N/A
U4	S4	Cottrell ESP	Research Cottrell Type 8 G-15	95 %	
U5	S17	None	No control device	N/A	N/A

U5	S4	Cottrell ESP	Research Cottrell Type 8 G-15	95 %	TSP, PM10
U5	S36	Fabric Filter	Camcorp Model 3BHX9	99 %	TSP, PM10
U6	N/A	Cyclone	U. S. Gypsum design cyclone 1947	N/A	N/A
U6	S3	Fabric Filter	Flex Kleen Mod#84-WRT-192XL-IIIG	99 %	TSP, PM10
U7	N/A	Cyclone	U. S. Gypsum design cyclone 1947	N/A	N/A
U7	S5	S20	Flex Kleen Mod#84-WRT-192XL-III	99 %	TSP, PM10
U8	N/A	Cyclone	U. S. Gypsum design cyclone 1947	N/A	N/A
U8	S14	Fabric Filter	Airtrol, Inc. 195AW07	99 %	TSP, PM10
U9	S6	None	No control device	N/A	N/A
U10	S21	None	No control device	N/A	N/A
U11	S1	None	No control device	N/A	N/A
U12	S31	Fabric Filter	Flex Kleen Mod#84-TC-80KD-III	99 %	TSP, PM10
U12	S38	Fabric Filter	Kinetic-air Mod30-RSC-36	99 %	TSP, PM10
U13	S8	None	No control device	N/A	N/A
U14	S18	Fabric Filter	Flex Kleen Mod#84-WRT-192XL-IIIG	99 %	TSP, PM10
U14	N/A	Cyclone	U. S. Gypsum design cyclone 1947	N/A	N/A
U15	N/A	Cyclone	U. S. Gypsum design cyclone 1955	N/A	N/A
U15	N/A	Cyclone	U. S. Gypsum design cyclone 1955	N/A	N/A
U15	S4	Cottrell ESP	Research Cottrell Type 8 G-15	95 %	TSP, PM10
U16	S7	Fabric Filter	Flex Kleen Mod#84-BVBS-25-II	99 %	TSP, PM10
U17	F11	None	No control device	N/A	N/A
U18	F21	Fabric Filter	Flex Kleen Mod#120-WXBC-216-IIIG	99 %	TSP, PM10
U19	F12	None	No control device	N/A	N/A
U20	S26	Fabric Filter	Flex Kleen Mod#TBR84-WMWC-150-III	99 %	TSP, PM10
U21	S27	Fabric Filter	Flex Kleen Mod#TBR84-WRBC-144-IIIG	99 %	TSP, PM10
U22	S22	Fabric Filter	Flex Kleen Mod#84-WRBS-96-II	99 %	TSP, PM10
U22	S23	Fabric Filter	Flex Kleen Mod#84-WRWS-96-IIG	99 %	TSP, PM10
U23	S24	Fabric Filter	Flex Kleen Mod#84-BVBCS-36-III	99%	TSP, PM10
U23	S11	Fabric Filter	Flex Kleen Mod#84-WSBS-49-IIIG	99 %	TSP, PM10
U24	S10	Fabric Filter	Flex Kleen Mod#100-WMWC-120-III	99 %	TSP, PM10
U25	S25	Fabric Filter	Flex Kleen Mod#84-WSWC-81-XL-III	99 %	TSP, PM10
U25	N/A	Cyclone	U. S. Gypsum design cyclone	N/A	N/A
U27	S12	Fabric Filter	Flex Kleen Mod#100-C7BS-32-I	99 %	TSP, PM10
U28	S28	Fabric Filter	Semco Model#VF-80, SN 870778	99 %	TSP, PM10

U29	S29	Fabric Filter	Seneca Model#132-IMTS-10	99 %	TSP, PM10
U30	S30	Fabric Filter	Flex Kleen Mod#WSWS-64-II, SN E33009	99 %	TSP, PM10
U31	F1	None	No control device	N/A	N/A
U32	F2	None	No control device	N/A	N/A
U33	F3	None	No control device	N/A	N/A
U34	F4	None	No control device	N/A	N/A
U35	F5	None	No control device	N/A	N/A
U36	S7	Fabric Filter	Flex Kleen Mod#84-BVBS-25-II	99 %	TSP, PM10
U37	F6	None	No control device	N/A	N/A
U38	F7	None	No control device	N/A	N/A
U39	F8	None	No control device	N/A	N/A
U40	F9	None	No control device	N/A	N/A
U41	F10	None	No control device	N/A	N/A
U42	F13	None	No control device	N/A	N/A
U43	S35	Fabric Filter	Flex Kleen Mod#84-BVBC-16	99 %	TSP, PM10
U44	S37	Fabric Filter	Smoot Co. Mod#60-BV-25	99 %	TSP, PM10
U44	N/A	Cyclone	Smoot Co. Cyclone	N/A	N/A
U45	F16	None	No control device	N/A	N/A
U46	F17	None	No control device	N/A	N/A
U47	F18	None	No control device	N/A	N/A
U48	F19	None	No control device	N/A	N/A
U49	F20	None	No control device	N/A	N/A
U50	S27	Fabric Filter	Flex Kleen Mod#84-WRBC-144-IIIG	99 %	TSP, PM10
U51	S27	Fabric Filter	Flex Kleen Mod#84-WRBC-144-IIIG	99 %	TSP, PM10
U52	S27	Fabric Filter	Flex Kleen Mod#84-WRBC-144-IIIG	99 %	TSP, PM10
U53	F14	Wet Misting System	U. S. Gypsum design misting system	60 %	TSP, PM10
U54	F15	None	No control device	N/A	N/A
U55	S20	Fabric Filter	Flex Kleen Mod#84-BVBS-25-II	99 %	TSP, PM10
U56	S34	Fabric Filter	Smoot Co. Mod# 36BV25	99 %	TSP, PM10
U56	S33	Fabric Filter	Smoot Co. Mod#36-BV1	99 %	TSP, PM10

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

III. Dunnage Machine Requirements – (emission unit ID# U-24)

A. Limitations

1. **Emission Controls** - Particulate emissions from the dunnage machine shall be controlled by the use of fabric filters. The fabric filters shall be provided with adequate access for inspection. The fabric filters shall be equipped with a device to continuously measure the differential pressure drop across the fabric filters. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times
(9 VAC 5-80-110, 9 VAC 5-50-260 and Condition 3 of NSR Permit issued 4/5/94)
2. **Throughput** - The annual throughput of dunnage shall not exceed 21,024 tons per year, calculated as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 5 of NSR Permit issued 4/5/94)

3. **Emission Limits** - Emissions from the operation of the dunnage machine, Unit U-24 shall not exceed the limits specified below:

Total Suspended Particulate	1.5 lbs/hr	6.6 tons/yr
PM-10	1.5 lbs/hr	6.6 tons/yr

These emissions are derived from the estimate overall emission contributions from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of the emission limits. Compliance with these emission limits may be determined as stated in Conditions III.A.1, 2, 5 and III.B.1.
(9 VAC 5-80-110 and Condition 6 of NSR Permit issued 4/5/94)

4. **Quality Improvement Plan** – The permittee shall develop a Quality Improvement Plan, according to 40 CFR 64.8 if more than five excursions from the indicator range specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A) occur within a semi-annual reporting period. An excursion shall be defined as the presence of detectable visible emissions. Semi-annual periods are as indicated by reporting requirements in condition XII.C.3.
(9 VAC 5-80-110 and 40 CFR 64.8)
5. **Visible Emission Limit** - Visible Emissions from the fabric filter shall not exceed five-percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110, 9 VAC 5-50-20 and Condition 7 of NSR Permit issued 4/5/94)

B. Compliance Assurance Monitoring

For the fabric filter at the dunnage machine, the permittee shall conduct monitoring as specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A).

(9 VAC 5-80-110 and 40 CFR 64.6(c))

C. Recordkeeping

1. **Onsite Records** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

a. The yearly throughput of dunnage, calculated as the sum of each consecutive 12-month period.

b. Documentation of monitoring required by the CAM Plan (Attachment A).

(1) The date and time of observations, the name of the observer, and whether or not there were visible emissions.

(2) Number of excursions in each semi-annual reporting period.

(3) Corrective actions taken in response to excursions; and

(4) If applicable, any written QIP required by Condition III.A.4 and 40 CFR 64.8 and any activities undertaken to implement a QIP.

These records shall be available for inspection by the DEQ and shall be current for the most recent five year period

(9 VAC 5-80-110 and Condition 8 of NSR Permit issued 4/5/94)

2. **Maintenance Records** - In order to minimize the duration and frequency of excess emissions due to malfunctions of process equipment or air pollution control equipment, the permittee shall:

a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance. These records shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.

(9 VAC 5-80-110 and Condition 12 of the NSR Permit issued 4/5/94)

3. **Training Records** - The permittee shall have available written operating procedures for the related air pollution control equipment. Operators shall be trained in the proper operation of all such equipment and shall be familiar with the written operating procedures. These procedures shall be based on the manufacturer's recommendations, at minimum. The permittee shall maintain records of training provided including names of trainees, date of training and nature of training.
(9 VAC 5-80-110 and Condition 13 of NSR Permit issued 4/5/94)

D. Reporting

The permittee shall submit written reports containing the following information pertaining to the CAM Plan for the fabric filter at the dunnage machine, to the Director, Tidewater Regional Office, no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 B and shall include:

- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions and the corrective action taken;
- b. A description of the actions taken to implement a QIP during the reporting period as specified at 40 CFR 64.8. Upon implementation of a QIP, the permittee shall include in the next summary report documentation that the plan has been completed and the reduced likelihood of similar levels of excursions.

The information listed above may be included in the reports required by Condition XII.C.3.

(9 VAC 5-80-110 and 40 CFR 64.9(a)(20))

IV. Sand and Lime Unloading Requirements and Cooling Belt Requirements – (emission unit ID# U-27 and U-23)

A. Limitations

1. **Emission Controls** - Particulate emissions from the sand and lime unloading system shall be controlled by a fabric filter. Particulate emissions from the cooling belt exhaust system shall be controlled by another fabric filter. The fabric filters shall be provided with adequate access for inspection and shall be equipped with a device to continuously measure the differential pressure drop across the fabric filters. The fabric filters shall be maintained by the permittee such that they are in proper working order at all times.
(9 VAC 5-80-110 and Condition 3 of NSR Permit issued 5/20/94)
2. **Throughput** - The sand and lime unloading system shall convey no more than 10,950 tons of sand and lime combined per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 4 of NSR Permit issued 5/20/94)

3. **Throughput** - The cooling belt system shall convey no more than 420,480 tons of stucco per year, calculated monthly as the sum of each consecutive twelve- (12) month period.
(9 VAC 5-80-110 and Condition 5 of NSR Permit issued 5/20/94)

4. **Emission Limits** - Emissions from the operation of the cooling belt exhaust system shall not exceed the limits specified below:

Total Suspended Particulate	0.1 lbs/hr	0.6 tons/yr
PM-10	0.1 lbs/hr	0.6 tons/yr

These emissions are derived from the estimate overall emission contributions from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of the emission limits. Compliance with these emission limits may be determined as stated in Conditions IV.A.1, 2, 3, 5 and IV.B.1.

(9 VAC 5-80-110 and Condition 6 of NSR Permit issued 5/20/94)

5. **Visible Emission Limit** - Visible emissions from each fabric filter shall not exceed 5% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110 and Condition 7 of the NSR Permit issued 5/20/94)

B. Recordkeeping

1. **Onsite Records** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- The yearly throughput of sand and lime combined, calculated as the sum of each consecutive 12-month period;
- The yearly throughput of stucco calculated monthly as the sum of each consecutive 12-month period.

These records shall be available for inspection by the DEQ and shall be current for the most recent five-year period.

(9 VAC 5-80-110 and Condition 9 of NSR Permit issued 5/20/94)

2. **Maintenance Records** - In order to minimize the duration and frequency of excess emissions due to malfunctions of process equipment or air pollution control equipment, the permittee shall:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance. These records shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
- b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.

(9 VAC 5-80-110 and Condition 13 of the NSR Permit issued 5/20/94)

3. **Training Records** - The permittee shall have available written operating procedures for the related air pollution control equipment. Operators shall be trained in the proper operation of all such equipment and shall be familiar with the written operating procedures. These procedures shall be based on the manufacturer's recommendations, at minimum. The permittee shall maintain records of training provided including names of trainees, date of training and nature of training.

(9 VAC 5-80-110 and Condition 14 of NSR Permit issued 5/20/94)

V. Packing Airveyor Requirements – (emission unit ID# U-43 and U-44)

A. Limitations

1. **Emission Controls** - Particulate emissions from the packing airveyor and the ball mill shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection and shall be in operation when the equipment is operating.
(9 VAC 5-80-110 and Condition 3 of NSR Permit issued 7/28/2000)
2. **Throughput** - The throughput of gypsum product at the packing airveyor shall not exceed 87,660 tons per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 6 of NSR Permit issued 7/28/2000)
3. **Throughput** - The ball mill shall process no more than 5,256 tons of landplaster per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 7 of NSR Permit issued 7/28/2000)
4. **Emission Limits** - Emissions from the operation of the packing airveyor and the East cooling tunnel belt shall not exceed the limits specified below:

Particulate Matter	0.6 lbs/hr	2.6 tons/yr
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These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of the emission limits. Compliance with these emission limits may be determined as stated in Condition V.A.1, 2, 7, V.B.3 and V.C.1.
(9 VAC 5-80-110 and Condition 8 of the NSR Permit issued 7/28/2000)

5. **Emission Limits** - Emissions from the operation of the ball mill shall not exceed the limits specified below:

Particulate Matter	0.1 lbs/hr	0.5 tons/yr
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These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of the emission limits. Compliance with these emission limits may be determined as stated in Condition V.A.1, 3, 7, V.B.3. and V.C.1. (9 VAC 5-80-110 and Condition 9 of the NSR Permit issued 7/28/2000)

6. **Quality Improvement Plan** – The permittee shall develop a Quality Improvement Plan, according to 40 CFR 64.8 if more than five excursions from the indicator range specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A) occur within a semi-annual reporting period. An excursion shall be defined as the presence of detectable visible emissions. Semi-annual periods are as indicated by reporting requirements in condition XII.C.3.
(9 VAC 5-80-110 and 40 CFR 64.8)
7. **Visible Emission Limit** – Visible emissions from the fabric filter outlets shall not exceed 5% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 10% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 10 of NSR Permit issued 7/28/2000)

B. Monitoring

1. **Compliance Assurance Monitoring** - For the fabric filter at the packing airveyor, the permittee shall conduct monitoring as specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A).
(9 VAC 5-80-110 and 40 CFR 64.6(c))
2. **Monitoring Devices** – The fabric filters shall be equipped with a device (such as a magnahelic gauge) to continuously measure the differential pressure drop across the fabric filters. The monitoring device shall be provided with adequate access for inspection and shall be in operation when the equipment is operating.
(9 VAC 5-80-110 and Condition 4 of NSR Permit issued 7/28/2000)
3. **Monitoring Device Observation** – The gauges, used to continuously measure the differential pressure across the fabric filters shall be observed by the permittee with a frequency of not less than once per week.
(9 VAC 5-80-110 and Condition 5 of NSR Permit issued 7/28/2000)

C. Recordkeeping

1. **Onsite Records** - The permittee shall maintain records of all emission data and operating parameters as necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. The annual throughput of gypsum products for the packing airveyor calculated monthly as the sum of each consecutive 12-month period.
- b. The annual throughput of landplaster for the ball mill calculated monthly as the sum of each consecutive 12-month period.
- c. Observations of the pressure drop across the fabric filters.
- d. Documentation of monitoring required by the CAM Plan (Attachment A).

(1) The date and time of observations, the name of the observer, and whether or not there were visible emissions.

(2) Number of excursions in each semi-annual reporting period.

(3) Corrective actions taken in response to excursions; and

(4) If applicable, any written QIP required by Condition V.A.6 and 40 CFR 64.8 and any activities undertaken to implement a QIP.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 11 of NSR Permit issued 7/28/2000)

2. **Maintenance/Operating Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.

- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of the training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110 and Condition 18 of the NSR Permit issued 7/28/2000)

D. Reporting

The permittee shall submit written reports containing the following information pertaining to the CAM Plan for the fabric filter at the packing airveyor, to the Director, Tidewater Regional Office no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 B and shall include:

- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions and the corrective action taken;
- b. A description of the actions taken to implement a QIP during the reporting period as specified at 40 CFR 64.8. Upon implementation of a QIP, the permittee shall include in the next summary report documentation that the plan has been completed and the reduced likelihood of similar levels of excursions.

The information listed above may be included in the reports required by Condition XII.C.3.

(9 VAC 5-80-110 and 40 CFR 64.9(a)(20))

VI. Stucco Loadout Requirements – (emission unit ID# U-51 and U-52)

A. Limitations

1. **Emission Controls** - Particulate emissions from the stucco loadout operation shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection and shall be in operation whenever the stucco loadout is operating.
(9 VAC 5-80-110 and Condition 3 of NSR Permit issued 8/13/2002)
2. **Monitoring Devices** - The fabric filters shall be equipped with devices to continuously measure the differential pressure drop across the fabric filter. Each monitoring device shall be provided with adequate access for inspection and shall be in operation whenever stucco is being downloaded to trucks.
(9 VAC 5-80-110 and Condition 4 of NSR Permit issued 8/13/2002)

3. **Throughput** - The throughput of stucco at the truck loadout shall not exceed 262,800 tons per year, calculated monthly as the sum of each consecutive twelve-month period.
(9 VAC 5-80-110 and Condition 6 of NSR Permit issued 8/13/2002)
4. **Visible Emission Limit** – Visible emissions from the stucco truck loadout operation shall not exceed 5% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80, 9 VAC 5-80-110 and Condition 7 of NSR Permit issued 8/13/2002)

B. Monitoring and Recordkeeping

1. **Monitoring Device Observation** – The device used to continuously measure the differential pressure across the fabric filters shall be observed by the permittee with a frequency of not less than once per week. The permittee shall keep a log of the observations.
(9 VAC 5-80-110 and Condition 5 of NSR Permit issued 8/13/2002)
2. **On Site Records** - The permittee shall maintain records of all emission data and operating parameters as necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Annual throughput of stucco at the truck loadout, calculated monthly as the sum of each consecutive 12-month period.
 - b. Operation and control device monitoring records (logbook) for the differential pressure gauge readings.
 - c. Scheduled and unscheduled maintenance, including records of training and operation procedures, for the stucco loadout equipment.These records shall be available for inspection by the DEQ and shall be current for the most recent five-year period.
(9 VAC 5-80-110 and Condition 8 of NSR Permit issued 8/13/2002)
3. **Maintenance/Operating Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

- b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of the trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110 and Condition 15 of the NSR Permit issued 8/13/2002)

VII. Ship Unloading System Requirements – (emission unit ID# U-53 and U-54)

A. Limitations

- 1. **Emission Controls** - Particulate emissions from the surge hopper/pan feeder unit U-53 shall be controlled by a wet misting system. The misting system shall be provided with adequate access for inspection and shall be operational whenever the unloading system is operating.
(9 VAC 5-80-110 and Condition 3 of NSR Permit issued 9/18/2002)
- 2. **Throughput** - The throughput of gypsum rock shall not exceed 500,000 tons per year, calculated monthly as the sum of each consecutive twelve-month period.
(9 VAC 5-80-110 and Condition 4 of NSR Permit issued 9/18/2002)
- 3. **Visible Emission Limit** - Visible emissions from the ship unloading system shall not exceed 5% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 5 of NSR Permit issued 9/18/2002)

B. Recordkeeping

- 1. **On Site Records** - The permittee shall maintain records of all emission data and operating parameters as necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Annual throughput of gypsum rock at the ship unloading system, calculated monthly as the sum of each consecutive 12-month period.

- b. Scheduled and unscheduled maintenance, including records of training and operation procedures, for the ship unloading system equipment.

These records shall be available for inspection by the DEQ and shall be current for the most recent five-year period.

(9 VAC 5-80-110 and Condition 6 of NSR Permit issued 9/18/2002)

- 2. **Maintenance/Operating Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
 - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
 - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of the trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-80-110 and Condition 13 of the NSR Permit issued 9/18/2002)

VIII. Updated Reclaim System Requirements – (emission unit ID# U-16, U-36, U-45, U-47, U-48 and U-49)

A. Limitations

- 1. **Emission Controls** - Particulate emissions from the rock crusher, unit U-16 shall be controlled by a fabric filter. The fabric filter shall be provided with adequate access for inspection and shall be operational whenever the crusher system is operating.
(9 VAC 5-80-110 and Condition 3 of NSR/NSPS Permit issued 5/27/2003)
- 2. **Fugitive Dust Emission Controls** – Fugitive dust and fugitive emissions controls shall include the following, or equivalent, as a minimum:
 - a. Dust from material handling shall be controlled by wet suppression or equivalent; total enclosures, or other methods as approved by DEQ.

- b. All material stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions.
- c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals or equivalent methods approved by the DEQ. (9 VAC 5-80-110, 9 VAC 5-50-260 and Condition 4 of NSR/NSPS Permit issued 5/27/2003)
3. **Throughput** – The throughput of gypsum rock for the rock crusher (U-16), the rock incline belt (U-47) and the crushed rock belt (U-36) shall not exceed 500,000 tons per year, calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-110, 9 VAC 5-80-1180 and Condition 7 of NSR/NSPS Permit issued 5/27/2003)
4. **Throughput** – The throughput of gypsum rock at the trommel screen (U-45) shall not exceed 60,000 tons per year, calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-110 9 VAC 5-80-1180 and Condition 8 of NSR/NSPS Permit issued 5/27/2003)
5. **Throughput** – The throughput of gypsum rock at the reclaim clay feeder (U-48) and the reclaim incline belt (U-49) shall not exceed 100,000 tons per year, calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-110, 9 VAC 5-80-1180 and Condition 9 of NSR/NSPS Permit issued 5/27/2003)
6. **Emission Limits** – The emissions from the operation of the rock crusher (U-16) shall not exceed the limits specified below:

Particulate Matter	0.8 lbs/hr	1.4 tons/yr
PM-10	0.4 lbs/hr	0.7 tons/yr

These emissions are derived from the estimated overall contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Nos. VIII.A.1, 3, 10, VIII.B.1, 3 and VIII.C.1 (9 VAC 5-80-110 and Condition 11 of NSR/NSPS Permit issued 5/27/2003)

7. **Emission Limits** – The emissions from the operation of the trommel screen (U-45) shall not exceed the limits specified below:

Particulate Matter	7.5 lbs/hr	4.5 tons/yr
PM-10	3.6 lbs/hr	2.1 tons/yr

These emissions are derived from the estimated overall contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Nos. VIII.A.4, VIII.B.1, 3 and VIII.C.1.
(9 VAC 5-80-110 and Condition 12 of NSR/NSPS Permit issued 5/27/2003)

8. **Reclaim System Emission Limits** – The emissions from the operation of the updated reclaim system, including the crusher (U-16), and the belt conveyors/screens (U-36, U-45, U-47, U-48 and U-49) shall not exceed the limits specified below:

Particulate Matter	5.9 tons/year
PM-10	2.8 tons/year

These emissions are derived from the estimated overall contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition Nos. VIII.A.1, VIII.A.2, VIII.A.3, VIII.A.4, VIII.A.5, VIII.A.10, VIII.B.2, 3 and VIII.C.1.
(9 VAC 5-80-110 and Condition 13 of NSR/NSPS Permit issued 5/27/2003)

9. **Quality Improvement Plan** – The permittee shall develop a Quality Improvement Plan, according to 40 CFR 64.8 if more than five excursions from the indicator range specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A) occur within a semi-annual reporting period. An excursion shall be defined as the presence of detectable visible emissions. Semi-annual periods are as indicated by reporting requirements in condition XII.C.3.
(9 VAC 5-80-110 and 40 CFR 64.8)

10. **Visible Emission Limit** – Visible emissions from the fabric filter exhaust shall not exceed 7 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). For units enclosed in a building, the opacity limit applies to the building vent, itself. This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110, 40 CFR 60.672, and Condition 14 of NSR/NSPS Permit issued 5/27/2003)

11. **Standard for Particulate Matter** – On or after the date on which the performance test required by 40 CFR 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors, or from any other affected facility any stack emissions which:

- a. Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

- b. Exhibit greater than 7 percent opacity from the stack or vent.
(9 VAC 5-80-110, 40 CFR 60.672 (a)(1) & (a)(2) and Condition 10 of NSR/NSPS Permit issued 5/27/2003)
- 12. **Requirements by Reference** – Except where this permit is more restrictive than the applicable requirement, the NSPS equipment (U-16, U-36 and U-47) shall be operated in compliance with the requirements of 40 CFR 60, Subpart ‘OOO’.
(9 VAC 5-80-110, 9 VAC 5-50-410, 40 CFR 60, Subpart ‘OOO’ and Condition 15 of NSR/NSPS Permit issued 5/27/2003)
- 13. **Permit Invalidation** – This permit to install the updated reclaim system equipment shall become invalid, unless an extension is granted by the DEQ, if:
 - a. A program of continuous construction is not commenced before the latest of the following:
 - (1) 18 months from the date of the NSR/NSPS permit issued May 27, 2003;
 - (2) Nine months from the date that the last permit or other authorization was issued from any other governmental agency;
 - (3) Nine months from the date of the last resolution of any litigation concerning any such permits or authorization; or
 - b. A program of construction is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of a phased construction project.
(9 VAC 5-80-110, 9 VAC 5-80-1210 and Condition 18 of NSR/NSPS Permit issued May 27, 2003)

B. Monitoring

- 1. **Compliance Assurance Monitoring** - For the fabric filter at the rock crusher, the permittee shall conduct monitoring as specified in the Compliance Assurance Monitoring (CAM) Plan (Attachment A).
(9 VAC 5-80-110 and 40 CFR 64.6(c))
- 2. **Monitoring Devices** – The fabric filter on the rock crusher shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with the manufacturers written recommendations. The monitoring device shall be provided with adequate access for inspection and shall be operational whenever the crusher system is operating.
(9 VAC 5-80-110 and Condition 5 of NSR/NSPS Permit issued 5/27/2003)

3. **Monitoring** – In addition to the CAM monitoring, the following monitoring practices shall be accomplished on a monthly basis to ensure compliance with the facility's particulate and visible emission limits:

- a. Observe the device used to measure the pressure drop across the fabric filter;
- b. Observe the fabric filter vent to ensure compliance with the limit in Condition VIII.A.10.

The permittee shall keep a log of the observations from the monitoring practices, above.

(9 VAC 5-80-110 and Condition 6 of NSR/NSPS Permit issued 5/27/2003)

C. Recordkeeping

1. **On Site Records** - The permittee shall maintain records of all emission data and operating parameters as necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. Annual throughput of gypsum rock for the updated reclaim system, including the rock crusher (U-16), the trommel screen (U-45) and the conveyor belts (U-36, U-47, U-48 and U-49) calculated monthly as the sum of each consecutive 12-month period.
- b. Logbook entries for the monitoring required for the fabric filter assembly.
- c. Records of any Method 9 observations performed for the fabric filters and/or crusher building, including the results of such testing.
- d. Scheduled and unscheduled maintenance, including records of training and operation procedures, for the updated reclaim system equipment.
- e. Documentation of monitoring required by the CAM Plan (Attachment A).
 - (1) The date and time of observations, the name of the observer, and whether or not there were visible emissions.
 - (2) Number of excursions in each semi-annual reporting period.
 - (3) Corrective actions taken in response to excursions; and
 - (4) If applicable, any written QIP required by Condition VIII.A.9 and 40 CFR 64.8 and any activities undertaken to implement a QIP.

These records shall be available for inspection by the DEQ and shall be current for the most recent five-year period.

(9 VAC 5-80-110 and Condition 16 of NSR/NSPS Permit issued 5/27/2003)

2. **Maintenance/Operating Procedures** – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
 - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
 - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of the trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110 and Condition 13 of the NSR Permit issued 9/18/2002)

D. Notifications and Reporting

1. **Initial Notifications** – The permittee shall furnish notification to the Director, Tidewater Regional Office:
 - a. The actual date on which installation of the updated reclaim system equipment commenced within 30 days after such date.
 - b. The anticipated start-up date of the updated reclaim system equipment postmarked not more than 60 days nor less than 30 days prior to such date.
 - c. The actual start-up date of the updated reclaim system within 15 days after such date.
 - d. The anticipated date of performance tests of the updated reclaim system, postmarked at least 30 days prior to such date.

Copies of the written notification referenced in items a through d, above, shall be sent to:

Office of Air Enforcement (3AP10)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 17 of NSR/NSPS Permit issued 5/27/2003)

2. The permittee shall submit written reports containing the following information pertaining to the CAM Plan for the fabric filter at the rock crusher, to the Director, Tidewater Regional Office no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 B and shall include:
 - a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions and the corrective action taken;
 - b. A description of the actions taken to implement a QIP during the reporting period as specified at 40 CFR 64.8. Upon implementation of a QIP, the permittee shall include in the next summary report documentation that the plan has been completed and the reduced likelihood of similar levels of excursions.

The information listed above may be included in the reports required by Condition XII.C.3.

(9 VAC 5-80-110 and 40 CFR 64.9(a)(20))

IX. Facility Wide Conditions

A. Limitations

1. **Testing/Monitoring Ports** – The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at the appropriate locations.
(9 VAC 5-80-110 and Condition 4 of NSR Permit issued 4/5/94)
2. **Notification for Control Equipment Maintenance** - The permittee shall furnish notification to the Director, Tidewater Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to shutdown. The notification shall include, but is not limited to, the following information:

- a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
- d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-80-110, and Condition 12 of NSR Permit issued 8/13/2002)

3. **Notification for Facility or Control Equipment Malfunction** – The permittee shall furnish notification to the Director, Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone or telegraph. Such notification shall be made as soon as practicable but not later than four daytime business hours of the malfunction. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within 14 days of the occurrence. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Director, Tidewater Regional Office in writing.

(9 VAC 5-80-110 and Condition 13 of NSR Permit issued 8/13/2002)

4. **Violation of Ambient Air Quality Standard** – The permittee shall, upon request of the DEQ, reduce the level of operations or shutdown the facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-80-110 and Condition 14 of NSR Permit issued 8/13/2002)

5. **Registration Update**

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate; process and production data; changes in control equipment; and operating schedules. Such requests for information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.1-340 through 2.1-348 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal laws and regulations governing confidentiality of such information.

(9 VAC 5-80-110 and Condition 18 NSR Permit issued 8/13/2002)

6. Existing Source Standard for Visible Emissions

Unless specified otherwise in this part, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than twenty (20) percent opacity, except for one six-minute period in any hour of not more than sixty (60) percent opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section. This standard is applicable to the following emission units: U-1 to U-15, U-17 to U-22, U-25, U-26, U-28 to U-42.

(9 VAC 5-40-80, 9 VAC 5-40-940 and 9 VAC 5-80-110)

7. Existing Source Standard for Particulate Matter

No owner or other person shall cause or permit to be discharged into the atmosphere from any process unit any particulate emissions in excess of the limits as listed in Table 4-4A of the Regulations at 9 VAC 5-40-260. This standard is applicable to the following emission units: U-1 to U-15, U-17 to U-22, U-25, U-26, U-28 to U-42.

(9 VAC 5-40-260 and 9 VAC 5-80-110)

8. Existing Source Standard for Particulate Matter; Fuel Burning Equipment

No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits.

- a. For fuel burning equipment installations with total capacity less than 10 million Btu per hour, the maximum allowable emission ratio shall be 0.6 pounds of particulate per million Btu heat input.
- b. For fuel burning equipment installations with total capacity between 10 million and 10 billion ($10,000 \times 10^6$) Btu per hour, the maximum allowable emission ratio, 'E', in pounds of particulate per million Btu heat input, shall be determined by the following equation: $[E = 1.0906 * H^{0.2594}]$.

Where 'H' is the total capacity in millions of Btu per hour heat input.

This standard is applicable to the following emission units: (U1 to U-13)

(9 VAC 5-40-900 and 9 VAC 5-80-110)

9. Existing Source Standard for Sulfur Dioxide; Fuel Burning Equipment

No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit. $[S = 2.64 * K]$, where 'S' equals allowable

emissions of sulfur dioxide expressed in pounds per hour and 'K' equals the heat input at total capacity expressed in Btu $\times 10^6$ per hour. This standard is applicable to the following emission units: (U-1 to U-13).

(9 VAC 5-40-930 and 9 VAC 5-80-110)

10. New Source Standard for Visible Emissions

No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than twenty (20) percent opacity, except for one six-minute period in any one hour of not more than thirty (30) percent opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this condition. This standard is applicable to U-16, U-23, U-24, U-27 and U-43 to U-56). (9 VAC 5-50-80 and 9 VAC 5-80-110)

11. Monitoring

For each emissions unit with a visible emissions limit contained in this permit, the permittee shall perform a monthly visual emissions observation during normal operations. If such visual observation indicates any visible emissions, the permittee shall take corrective action to eliminate the visible emissions. If such corrective action fails to eliminate the visible emissions, the permittee shall conduct a visible emissions evaluation (VEE) using 40 CFR 60, Appendix A, Method 9, for six minutes. If the six-minute VEE opacity average exceeds 50% of the standard for a specific unit, the VEE for that unit shall continue for an additional 12 minutes. If any of the six-minute averages during the 18 minutes exceeds the standard for a specific unit, the VEE for that unit shall continue for one hour from initiation to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations, VEEs, and any corrective actions. The records shall be kept at the facility and made available for inspection by the DEQ for the most recent five-year period. (9 VAC 5-80-11 E)

12. **Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO _x	EPA Method 7
SO ₂	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

X. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
U-11A	Mixed Hot Water Boiler – Natural Gas	9 VAC 5-80-720B	NOx, SO2, PM10, VOC, CO	less than 5 mmBtu per hour
U-11B	Mixed Hot Water Boiler - #2 fuel oil	9 VAC 5-80-720B	NOx, SO2, PM10, VOC, CO	less than 5 mmBtu per hour
U-12	PST System Heater	9 VAC 5-80-720B	NOx, PM10, VOC, CO	less than 5 mmBtu per hour
U-13A	General Plant Boiler – Natural Gas	9 VAC 5-80-720B	NOx, PM10, VOC, CO	less than 5 mmBtu per hour
U-13B	General Plant Boiler - #2 fuel oil	9 VAC 5-80-720B	NOx, SO2, PM10, VOC, CO	less than 5 mmBtu per hour
U-17	Diesel Tank	9 VAC 5-80-720B	VOC	1000 gallons
U-18	Anhydrite System	9 VAC 5-80-720B	PM10	15 tons per hour
U-19	Gasoline Tank	9 VAC 5-80-720B	VOC	1000 gallons
U-37	#6 Fuel oil tank	9 VAC 5-80-720B	VOC	30,000 gallons
U-38	#4 Fuel oil tank	9 VAC 5-80-720B	VOC	30,000 gallons
U-39	#2 Fuel oil tank	9 VAC 5-80-720B	VOC	15,000 gallons
U-40	West waste oil tank	9 VAC 5-80-720B	VOC	2500 gallons
U-41	East waste oil tank	9 VAC 5-80-720B	VOC	2500 gallons
U-42	Paved Roads	9 VAC 5-80-720B	PM and PM10	N/A

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

XI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements, which have been specifically identified, as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60.730, Subpart UUU	Standards of Performance for Calciners and Dryers in Mineral Industries	Units U-1, U-2, U-3, U-4 and U-5 are not subject to this part. Constructed before 4-23-86.
40 CFR 60.672, Subpart OOO	Standards of Performance for Nonmetallic Mineral Processing Plants	Units U-6, U-7, U-8, U-14 and U-15 are not subject to this part. Constructed before 8-31-83.
40 CFR 60.730, Subpart UUU	Standards of Performance for Calciners and Dryers in Mineral Industries	Units U-9 and U-10 are not subject to this part. Tunnel dryers are exempt.
40 CFR 52	New Source Review	There are no modifications to the plant at this time.
40 CFR 60, Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels	Subpart Kb has been amended to exempt those storage vessels previously subject to recordkeeping requirements only.
9 VAC 5-50, Article 3 9 VAC 5-40, Article 3	Standards for Toxic Pollutants	The U.S. Gypsum facility does not emit toxic pollutants above the exemption levels.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

XII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless a timely and complete renewal application consistent, with 9 VAC 5-80-80, has been submitted, to the Department, by the owner, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.
(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
 - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”
(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incidence of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Tidewater Regional Office within four daytime business hours, after a deviation is discovered from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition XII.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after a deviation is discovered from permit requirements, notify the Director, XXXX Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-110 G & L, 9 VAC 5-80-240 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
 4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
 5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
- (9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emissions Standards for Asbestos, as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

XIII. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. 9 VAC 5-50-140 Standard for Odorous Emissions
2. 9 VAC 5-60-320 Standard for Toxic Pollutants

(9 VAC 5-80-110 N and 9 VAC 5-80-300)